

Appl. No. 10/573,045
Amendment dated April 17, 2008
Reply to Office Action of January 25, 2008

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes a change to Figures 8(b) and 8(c). This sheet, which includes Figures 8(a), 8(b) and 8(c), and replaces the original sheet including Figures 8(a), 8(b) and 8(c).

Attachment: one (1) replacement sheet

REMARKS

In the January 22, 2008 Office Action, claims 1-3 stand rejected in view of prior art, while claims 4-20 were indicated as containing allowable subject matter. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the January 22, 2008 Office Action, none of the claims are being amended by the current response. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. Reexamination and reconsideration of the pending claims are respectfully requested in view of the following comments.

Drawings

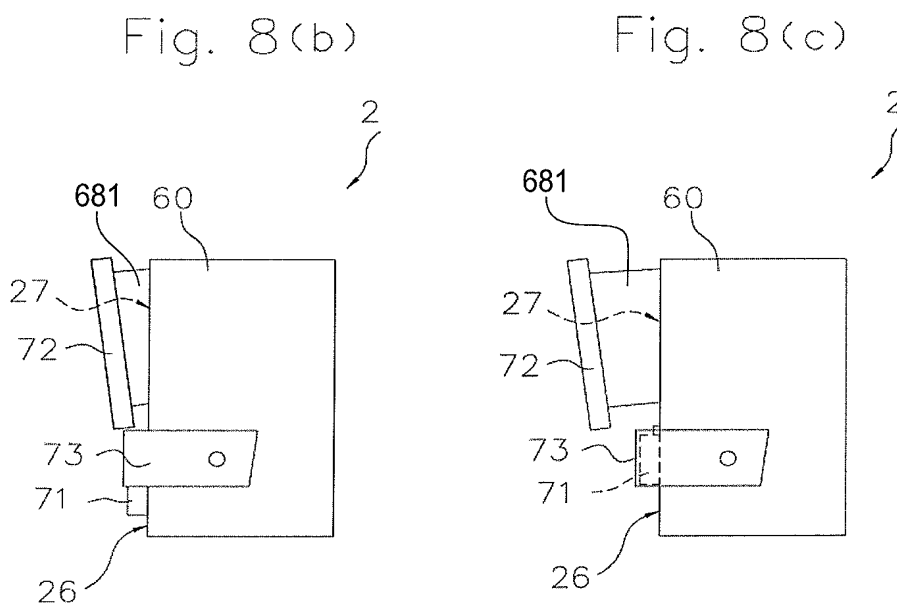
Applicants have corrected Figures 8(b) and 8(c) to include reference numeral 681.

Rejections - 35 U.S.C. § 102

At the top of page 2 of the Office Action, claims 1-3 stand rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Patent Application JP 2003-014249-A (the JP patent application). Applicants note that US Patent No. 6,725,684 and EP 1,271,065 (both submitted in the Information Disclosure Statement filed on March 22, 2006) are English Language counterparts of the JP patent application. Applicants respectfully assert that the rejection is improper because the prior art fails to disclose or suggest each and every feature required by independent claim 1, as explained below.

Claim 1 recites that an indoor unit of an air conditioner requires an opening and closing member including a driving force transmission portion for transmitting the driving force of the drive portion to the movable panel and *a plate member provided outside the driving force transmission portion* and *configured to cover a gap between the movable*

panel and the casing in a state in which the movable panel is open. The plate member required by claim 1 is identified in the specification and drawings as plate member 681 and is shown below in Figures 8(b) and 8(c). The plate member 681 is configured to cover a gap between the movable panel 72 and the casing 60 *in a state in which the movable panel is open* that is neither suggested or disclosed by the cited prior art.



Figures 8(b) and 8(c) of the Instant Application

Rather (as shown below) the JP patent application (and English Language counterparts US Patent No. 6,725,684 and EP 1,271,065) disclose no such feature. Specifically, the cited prior art fails to disclose or suggest a plate member configured to cover a gap between the movable panel and the casing *in a state in which the movable panel is open.*

FIG. 8B

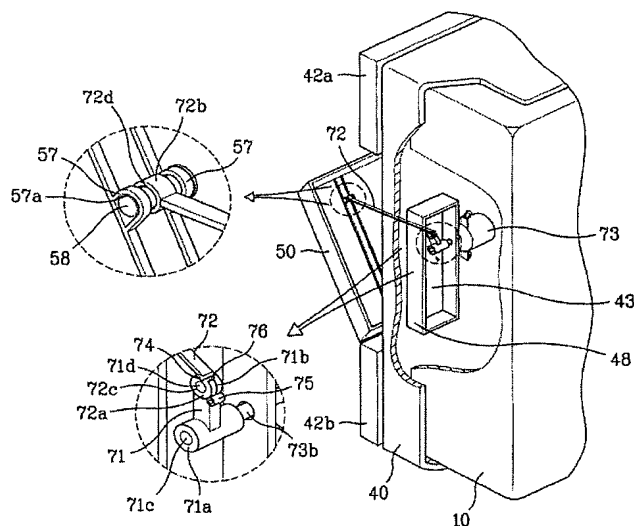


Figure 8B from US 6,725,684

(English Language Counterpart of JP 2003-014249-A)

Clearly, this structure is **not** disclosed or suggested by the Japanese patent application or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Therefore, Applicants respectfully submit that the rejection is improper and claim 1 is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that the dependent claims 2-20 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are

allowable for the reasons stated above. Also, the dependent claims 2-20 are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate the independent claim 1, neither does the prior art anticipate the dependent claims.

Applicants respectfully request withdrawal of the rejections.

Allowable Subject Matter

At the middle of page 2 of the Office Action, claims 4-20 were indicated as containing allowable subject matter. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application.

Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicants believe that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-20 are in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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